

REMARKS/ARGUMENT

The Applicants respond to the restriction requirement under 35 U.S.C. § 121 of the Office Action of March 31, 2009.

Claims 1 through 49 are pending in the application.

The Examiner applied a restriction requirement under 35 U.S.C. § 121 and divided the claims into three groups.

The Applicants elect with traverse the claims of Group I which includes claims 1 through 7, 10, 11, 27, and 30 through 32, drawn to a dispenser with chiller. The Applicants elect the species or invention of Figure 2 to be examined. This species or invention is described in the application from page 4 at line 31 through page 6 at line 20 and elsewhere. Claims 1 through 40 read on this elected species or invention.


Specifically, claims 1, 10, 13, 16, 20, 23, 27, 30, 34, and 37 read on the preferred embodiments of this species or invention which has a cooling apparatus with a Peltier thermoelectric device. Therefore, elected claims 1, 10, 27, and 30 read on this preferred species or invention for examination.

The Applicants have a bona fide belief that the election requirement should be withdrawn. Claims 1 through 40 all require a keg and a chiller (“cooling apparatus”). Each of these claims requires the dispenser (“keg dispensing device”) of Group II and the keg of Group III. At a minimum, claims 20 through 32 should also be considered as drawn to a dispenser with chiller. It is maintained that a search of the invention of Group I would necessarily include the desirable embodiments of the noted claims. Reconsideration is requested.

Favorable consideration is requested.

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Date



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